HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 7397 OF 2006

Between:

Dr. C.L. Venkata Rao

..... Petitioner

AND

Govt. of A.P.
Rep. By its Principal Secretary,
Health, Medical & Family Welfare Department,
Hyderabad & others.

.....Respondents

:: O R D E R ::

Counsel for the petitioner : Shri K.G. Ravikanth for
Shri K.G.K. Prasad

Counsel for respondent Nos.1 to 7: Shri J. Sudheer Reddy,
Special Government Pleader

Counsel for respondent No.8 : None

Dated: 26.12.2006

Per G.S.SINGHVI, CJ

The petitioner, who is a practicing doctor and former member of the Medical Council of India has filed this petition in public interest for declaring the indefinite strike call given by Junior Doctors' Association, Osmania General Hospital, Afzalgunj, Hyderabad (respondent No. 8) as illegal, arbitrary and contrary to the provisions of the Andhra Pradesh Essential Services Maintenance Act, 1971. He has further prayed for issue of a direction to respondent Nos. 1 to 7 and 9 and 10 to take action against the members of respondent No. 8 for neglecting their duties by participating in the strike.

During the pendecny of the writ petition, the Court passed several interim orders. On 14-04-2006, the Court directed the State Government and its functionaries not to sanction leave or regularise the period of strike by the members of Junior Doctors' Association, who are

employed in government services. Subsequently, that order was modified on 17-07-2006 qua Dr. K. Sailaja and seven other Interns- House Surgeons who gave a written undertaking not to resort to strike in future. Similar order was passed qua other doctors on
27-10-2006 who gave a written undertaking that they will not resort to strike. It is also borne out from the record that in furtherance of the directions given by the Court, the State Government evolved a multi-tier mechanism for redressal of grievances of the members of medical profession who are employed in government hospitals and colleges and the students undergoing different medical courses. On 15-12-2006, the case was adjourned at the instance of Dr. K. Rajasekhar, Member, Junior Doctors' Association.

Today, no one has appeared on behalf of the Junior Doctors' Association. Therefore, it is not possible to give any further direction in relation to the multi-tier mechanism evolved by the Government for redressal of the grievances of the doctors and students undergoing medical courses.

With the above observations, the writ petition is disposed of as infructuous.

As a sequel to disposal of the writ petition as

infructuous, W.P.M.P.Nos. 9501, 16984 and 27088 of 2006 filed by the petitioner for interim relief are dismissed. All other miscellaneous petitions shall stand disposed of as infructuous.

G.S.SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

26.12.2006
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